

**REMARKS**Examiner Interview Summary

Applicant wishes to express his sincere appreciation for the time that Examiner Sisson spent with Applicant's Attorney, Cynthia Lee, during a telephone discussion on January 10, 2006 regarding the present application. During that conversation, the Examiner and Applicant's Attorney discussed the outstanding Office Action mailed September 15, 2005 and the rejections cited therein.

In the interview, Applicant agreed to cancel claims 17 and 18. With respect to independent claim 10, Applicant's Attorney and the Examiner discussed numerous proposed changes that would overcome various rejections under 35 U.S.C §112, first paragraph. First, Applicant's Attorney discussed the cancellation of the phrases "first nucleic acid" and "second nucleic acid" at each instance that they appear, and replace the phrases with, respectively, "nucleic acid of the first plurality" and "nucleic acid of the second plurality". In addition, the Examiner noted that the phrase "biological sample" when read in view of the specification may not be the clearest phrase. Applicant's Attorney suggested replacing the phrase "biological sample" with "biological target". Further, Applicant's Attorney suggested that adding the phrase "such that different sequences of the first plurality of nucleic acids can be differentiated by location, wherein the nucleic acid at each location has a different nucleotide sequence than nucleic acids at other locations" in paragraph a) would render that step more clear. Additionally, the Examiner suggested that the phrase "that permit hybridization of complementary sequences between the first region of a second nucleic acid of the second plurality and the first nucleic acids in the first plurality" could be amended to recite "under hybridization conditions" in paragraph e) of claim 1.

Applicant's Attorney and the Examiner also discussed the use of the term "position" in certain instances and the use of the phrase "location" and other instances could possibly be unclear. Therefore, consistent usage of the term "location(s)" might be beneficial.

The Examiner also suggested that the nucleotide sequences of the nucleic acids of the second plurality would necessarily have to be known in order to determine the nucleic acid sequence of a biological target that is hybridized to nucleic acids of the second plurality.

Therefore, Applicant's Attorney agreed to consider amending paragraph b) of claim 10 to reflect that the nucleotide sequence of each nucleic acid of the second plurality is known. In addition, the Examiner requested that Applicant clarify what "sequences" are being referred to throughout claim 10. Applicant's Attorney agreed that the term "nucleotide" should be inserted before each occurrence of the term "sequence."

The response submitted along with a Request for Continued Examination filed on January 13, 2006 includes claim amendments that largely reflect the results of the conversation between Applicant's Attorney and the Examiner.

#### **CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully requests favorable reconsideration and allowance of the present application and all pending claims. If, in the opinion of the Examiner, another telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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